

REMARKS

Upon entry of this amendment, claims 1-14, 16, 17, 20-30, 32 and 33 are pending.

By the present amendment, claims 1, 14, 17, 20, 30 and 33 have been amended.

Favorable reconsideration of the application is respectfully requested.

The rejection of claims 1-4, 6, 7, 12-14, 16, 17, 20-24, 27-30, 32 and 33 under 35 U.S.C. §102(b) over Junod et al. (U.S. Patent No. 5,854,621, hereinafter "Junod") is respectfully traversed. Without acquiescing in the rejection, it is noted that claims 1, 14, 17, 20, 30 and 33 have been amended. As such, the rejection will be discussed with respect to the pending claims as amended.

The claims recite that the transmission data includes three types of identification codes. Namely, a system identification code found in both the transmission and processing devices for identifying a type of processing device for which the transmission device is compatible; a device identification code found in the transmission device for identifying the device type of the transmission device; and a unique identification code found in the transmission device for uniquely identifying the transmission device from any other transmission device of the same type (some claims refer to a game apparatus and game controller in place of the processing device and transmission device). Moreover, the claims recite that the criterion set in the criterion setting section relates to at least a system identification code and a device identification code. Further, when the

receiving device and/or processing device sets in the criterion a system identification code and a device identification code, but not a unique identification code, the information processing system accepts, as input, any transmitted data from any transmission device having the set system and device identification codes.

Thus, the claimed information processing system, based on identification information in the transmitted data, is capable of distinguishing and selecting any transmission device by system and device types and also by unique identification. In particular, three types of identification codes are included in the transmitted data. The memory sets a criterion relating at least to a system identification code and device identification code based on control information from an application program that is being run in the processing device. In accordance with the criterion and based on at least the system and device identification codes of the transmission device, the receiving/processing device determines whether or not the transmitted data is accepted. When a system identification code and a device identification code are designated in the criterion, the receiving/processing device accepts as input any transmitted data from any transmission device having the designated system and device identification codes. When a system identification code, a device identification code and a unique identification code are designated in the criterion, the receiving/processing device accepts, as input, only transmitted data from a single specific transmission device having the designated system, device and unique identification codes.

Additionally, using the criterion changing section, the receiving/processing device is capable of automatically varying the selection of a transmission device by device type, in accordance with any changes made by the criterion changing section to the device type designated in the criterion.

Junod is directed to a method and apparatus, using a unique identification code found in each transmission device, to allow a receiver to distinguish from among a plurality of transmission devices. Specifically, according to Junod, a unique identification code of a transmission device is included in any transmitted data from the transmission device. The receiver accepts, as input, any transmitted data from a transmission device having the unique identification code designated in the receiver.

There is no teaching or suggestion in Junod of distinguishing and/or selecting any transmission devices based on the type of system for which the transmission device is compatible and the device type of the transmission device. In other words, Junod is unable to distinguish and select a transmission device by system and device types as set forth in the claims of the instant application. This is because Junod does not teach or suggest the claimed transmitted data types or any method or apparatus to represent the system and device types of the transmission device. In particular, Junod fails to teach or suggest any criterion relating to system and device identification codes, used to determine

whether or not the receiver accepts, as input, any transmitted data from a transmission device having the system and device identification codes set in the criterion.

Moreover, there is no teaching or suggestion in Junod of any method or apparatus that automatically varies the selection of a transmission device by device type. Clearly, the receiver in Junod is not able to automatically vary the selection of a transmission device by device type, because Junod lacks any ability to distinguish a transmission device by device type.

The claimed system, on the other hand, is capable of accepting as input any transmitted data from a transmission device having the system and device types designated in the information processing system. This feature is clearly absent from Junod. Additionally, the claimed invention is capable of automatically varying the selection of a transmission device by device type. Again, this feature is absent from Junod.

It is axiomatic that in order for a reference to anticipate a claim, the reference must disclose, teach or suggest each and every feature of the claim. As set forth above, it is abundantly clear that Junod fails to disclose, teach or suggest each and every feature of the claimed invention. Therefore, Junod fails to anticipate the claimed invention. Accordingly, reconsideration and withdrawal of the rejection are respectfully requested.

SATO et al.
Serial No. 09/988,217
Amendment in RCE dated September 1, 2004
Response to Office Action dated June 15, 2004

The rejection of claims 5 and 26 under 35 U.S.C. §103(a) over Junod in view of Rutkowski (U.S. Patent No. 5,806,849) is respectfully traversed.

It is respectfully submitted that Rutkowski fails to overcome the fundamental deficiencies noted above with respect to Junod. Therefore, even if, *arguendo*, the combination of Junod and Rutkowski were proper, the combination nevertheless fails to render the claimed invention obvious. Accordingly, reconsideration and withdrawal of the rejection are respectfully requested.

The rejection of claims 8-11 and 25 under 35 U.S.C. §103(a) over Junod is respectfully traversed. It is respectfully submitted that no objective prior art teaching has been provided to overcome the fundamental deficiencies noted above with respect to Junod. Accordingly, the Office Action fails to establish even a *prima facie* case of obviousness. Moreover, it is respectfully submitted that the allegation in the Office Action of “design choice” is merely a conclusion without any support in the record. Therefore, Junod fails to render the claimed invention obvious, and reconsideration and withdrawal of the rejection are respectfully requested.

In view of the foregoing, it is respectfully submitted that the entire application is in condition for allowance. Favorable reconsideration of the application and prompt allowance of the claims are earnestly solicited.

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Should the Examiner deem that further issues require resolution prior to allowance, the Examiner is invited to contact the undersigned attorney of record at the telephone number set forth below.

Respectfully submitted,

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